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02
03 UNITED STATES DISTRICT COURT
04 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

05 UNITED STATES OF AMERICA,) CASE NO. CR02-017-RSM
06)
Plaintiff,)
07)
v.) SUMMARY REPORT OF U.S.
08) MAGISTRATE JUDGE AS TO
RICHARD EASTERLING,) ALLEGED VIOLATIONS
09) OF SUPERVISED RELEASE
Defendant.)
_____)

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11 An initial hearing on supervised release revocation in this case was scheduled before me
12 on December 12, 2006. The United States was represented by AUSA Douglas Whalley for
13 Ronald Friedman and the defendant by Michele Shaw . The proceedings were digitally recorded.

14 Defendant had been sentenced on or about August 16, 2002 by the Honorable Barbara
15 Jacobs Rothstein on a charge of Conspiracy to Distribute MDMA, and sentenced to 57 months
16 custody, three years supervised release.

17 The conditions of supervised release included the standard conditions plus the requirements
18 that defendant be prohibited from possessing a firearm, submit to drug testing, participate in
19 substance abuse counseling, abstain from alcohol, submit to search, have no unsupervised contact
20 with minor children, provide access to financial information, obtain approval for all employment,
21 and not work for cash. (Dkt. 492).

22 May 17, 2006, the defendant admitted to violating the conditions of supervision by using

marijuana on four occasions. Disposition was postponed until January 12, 2007, with the provision that the violations would be withdrawn if the defendant had no more violations. (Dkt. 849.)

In an application dated December 4, 2006 (Dkt. 868), U.S. Probation Officer Michael S. Larsen alleged the following violation of the conditions of supervised release:

1. Using marijuana from on or about November 5, 2006 through November 25, 2006 in violation of standard condition number 7.

Defendant was advised in full as to the charge and as to his constitutional rights.

Defendant admitted the alleged violation and waived any evidentiary hearing as to whether they occurred.

I therefore recommend the Court find defendant violated his supervised release as alleged, and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be set before Judge Martinez.

Pending a final determination by the Court, defendant has been released on the conditions of supervision.

DATED this 12th day of December, 2006.



Mary Alice Theiler
United States Magistrate Judge

cc:	District Judge:	Honorable Ricardo S. Martinez
	AUSA:	Douglas Whalley, Ronald Friedman
	Defendant's attorney:	Michele Shaw
	Probation officer:	Michael S. Larsen